

EXHIBIT "A"

PROPOSITION A

PROPOSED CHARTER AMENDMENT

(New provisions or language added to existing Charter sections are underlined; language deleted from the existing Charter section are shown in strikeout type.)

Section 1. That Section 213 of the Charter of the City of Long Beach be amended to read as follows:

Sec. 213. Veto of City Council Actions By Mayor.

(a) The Mayor may veto any action of the City Council as defined in Sections 210 and 211 of this Charter, except for procedural and parliamentary motions including, but not limited to, those for adjournment and similar motions, which veto shall be exercised as provided for in this section.

(1) As to any ordinance, except for emergency ordinances as provided for in Section 211 of this Charter, the Mayor shall, within ten (10) calendar days of adoption of the ordinance, either sign or veto the ordinance. If the Mayor signs the ordinance, it shall become effective thirty-one days thereafter. If the Mayor vetoes the ordinance, the veto shall be exercised by filing with the City Clerk a statement vetoing the ordinance and setting forth the Mayor's reasons for the veto. The City Clerk shall immediately transmit the veto message to all members of the City Council and shall, at the same time, cause the matter to be placed upon the agenda of the next regularly scheduled meeting of the City Council for which an agenda has not as yet been prepared by the City Clerk. At that meeting, or at any time within thirty (30) days of filing of the veto statement, the City Council may, by a vote of ~~five (5)~~ two-thirds (2/3) or more of its members, override the veto, in which case the ordinance shall become effective thirty (30) days thereafter. If an override is not voted within the thirty (30) days provided, the ordinance shall be deemed vetoed and shall be of no further force and effect.

(2) As to any resolution, the Mayor shall exercise his or her veto by filing with the City Clerk, within five (5) calendar days of adoption of the resolution, a statement vetoing the resolution and setting forth the Mayor's reasons for the veto. The City Clerk shall immediately transmit the veto message to all members of the City Council and shall cause the matter to be brought before the City Council at its next regularly scheduled meeting. At that meeting, the City Council may, by a vote of ~~five (5)~~ two-

thirds (2/3) or more of its members, override the veto, in which case the resolution shall become effective as if no veto has been exercised. If an override is not voted at that meeting, the resolution shall be deemed vetoed and shall be of no further force and effect.

(3) As to motions for minute orders, the Mayor shall exercise his or her veto by stating, orally or in writing, immediately following the announcement of the final vote on the motion and prior to commencement of any further business by the City Council, that the motion is vetoed and the reasons for the veto. Thereupon, the City Council shall immediately vote on a motion, if duly made and seconded, to override the veto. If at least two-thirds (2/3) of the members of the City Council present vote for the motion to override, the veto shall be deemed overridden. If not, the action shall be deemed vetoed and defeated and shall be of no further force and effect.

(4) As to any emergency ordinance as provided for in Section 211 of this Charter, the Mayor shall exercise his or her veto by stating, orally or in writing, immediately upon adoption of the emergency ordinance, that the emergency ordinance is vetoed and the reasons for the veto. Thereupon, the City Council shall immediately vote on a motion, if duly made and seconded, to override the veto. If ~~five (5)~~ two-thirds (2/3) or more of the members of the City Council vote for the motion, the veto shall be deemed overridden and the ordinance shall become effective as if no veto has been exercised. If an override is not voted at that meeting, the ordinance shall be deemed vetoed and shall be of no further force and effect.

~~(b) Notwithstanding any other provision of this section, the veto of any action to adopt the annual budget pursuant to Section 1704 or to adopt or amend an appropriations ordinance pursuant to Section 1704 or to appropriate additional funds pursuant to Section 1705, shall require six (6) votes to override regardless of whether the action is taken pursuant to Subsections (a)(1), (a)(2), (a)(3) or (a)(4).~~

~~(c)~~ (b) In all cases, the action to override the Mayor's veto shall be limited to a vote on a motion that the veto of the Mayor be overridden, and no amendatory or other motions to change the vetoed action prior to the override vote shall be in order. If a veto is not overridden and becomes final as provided in this Section, action identical to that vetoed shall not be again considered by the City Council for a period of thirty (30) days.

Section 2. That Sections 1702 and 1704 of the Charter of the City of Long Beach be amended to read as follows:

Sec. 1702. City Manager's Recommended Budget.

The City Manager annually shall prepare, and not later than ~~sixty (60)~~ ninety (90) days prior to the beginning of each fiscal year, submit to the Mayor the recommended budget for the forthcoming fiscal year, based upon detailed estimates furnished to the City Manager as may be prescribed. Departmental budgets of departments for which the City Manager is not administratively responsible shall be submitted as furnished by the heads of such departments, but in a form and on a date as prescribed by the City Manager. Not later than ~~forty-five (45)~~ sixty (60) days prior to the beginning of the fiscal year for which the City Manager has prepared his recommended budget, the Mayor shall present the budget as submitted to the Mayor by the City Manager to the City Council together with any comments and recommendations that the Mayor may wish to attach to it for consideration by the City Council.

Sec. 1704. Amendment of the Budget.

The City Council may amend the preliminary budget and shall adopt such preliminary or amended preliminary budget as the budget for the forthcoming fiscal year, and shall not later than fifteen (15) days prior to the end of the current fiscal year pass an appropriation ordinance conforming thereto. If the City Council fails to adopt a budget and appropriation ordinance by the time prescribed herein, the City Manager's recommended budget shall be deemed to be the budget adopted by the City Council and appropriation expenditures shall be made in accordance therewith.

The budget and appropriations ordinance as adopted by the City Council (including the City's budgets for which the City Manager is not administratively responsible) shall be immediately transmitted to the Mayor upon whose approval and signature they shall become effective. If the Mayor shall fail to act upon the budget and appropriations ordinance within five (5) calendar days after its adoption by the City Council, it shall thereupon become effective. If the Mayor disapproves of any expenditure, the Mayor may reduce or eliminate that item, and shall within the same five (5) calendar day period return the budget and the appropriations ordinance to the City Council with a statement of action taken.

Upon receipt by the City Council of the budget veto message from the Mayor, the City Council shall have until the end of the fiscal year within which to override the action of the Mayor by a vote of two-thirds (2/3) of its members.

Upon the commencement of the fiscal year, the budget and appropriations ordinance as returned by the Mayor, and to the extent modified thereafter by the City Council, shall become the budget and appropriations ordinance for the ensuing fiscal year.

Section 3. That Sections 300, 301, 400 and 510 of the Charter of the City of Long Beach be amended to read as follows:

Sec. 300. Selection and Qualifications.

The City Council shall appoint a City Manager who shall be the chief administrative officer of the City. The City Manager shall be responsible for the administration of all departments except the City Attorney, City Auditor, City Prosecutor, Civil Service Department, Legislative Department, Harbor Department and Water Department. The City Council, subject to veto by the Mayor and City Council override by a vote of two-thirds (2/3) of its members, shall appoint the person deemed best qualified on the basis of executive and administrative capabilities, with special reference to experience in, and knowledge of, accepted practices with respect to the duties of the office as set forth in this Charter. The City Manager shall be appointed for an indefinite period and cannot be removed from office except by a vote of five (5) members of the City Council, subject to veto by the Mayor and City Council override by a vote of two-thirds (2/3) of its members.

Sec. 301. Assistant City Manager.

The City Manager shall have the power to appoint, with the confirmation of the City Council, subject to veto by the Mayor and City Council override by a vote of two-thirds (2/3) of its members, an Assistant City Manager, who shall be empowered to perform all duties of the City Manager in the event of the absence or disability of the City Manager and such other duties as the City Manager shall direct. The Assistant City Manager shall serve at the pleasure of the City Manager.

Sec. 400. Appointment.

The City Council shall appoint a City Clerk, subject to veto by the Mayor and City Council override by a vote of two-thirds (2/3) of its members, who shall serve at the pleasure of the City Council, subject to veto by the Mayor and City Council override by a vote of two-thirds (2/3) of its members.

Sec. 510 Removal of Commission Members.

~~The City Council may by a vote of a majority of its members~~ Mayor may remove any member of a Charter-mandated commission at any time, with the concurrence of two-thirds (2/3) of the members of the City Council. ~~upon stating in writing, the reasons for such removal and allowing the member an opportunity to be heard by the City Council. Any member of a Charter-mandated commission may be removed for incompetence, malfeasance, misfeasance, neglect of duty or conviction of a crime involving moral turpitude.~~